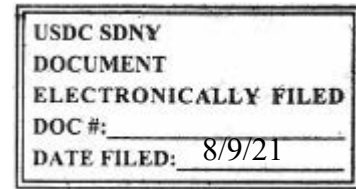


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK



Thomas P. Koestler,

Petitioner,

—v—

Martin Shkreli,

Respondent.

16-cv-7175 (AJN)

ORDER

ALISON J. NATHAN, District Judge:

On July 23, 2021, the Court appointed Daniel R. Alonso as a receiver. Dkt. No. 98. The Court then directed the parties to confer on a proposed receivership order and jointly submit a proposed order by July 27, 2021. Dkt. No. 98. The parties failed to agree to a proposed order, as recounted by the Court on July 28, 2021. Dkt. No. 107. At Mr. Alonso's request, the Court extended the deadline for the submission of a jointly proposed order until August 6, 2021, at 3:00 p.m. to provide Mr. Alonso time to further investigate the assignment. Dkt. No. 109.

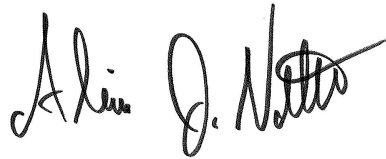
That latest deadline has since passed. The parties have again failed to submit a joint letter. Instead, the Court received three separate letters from the parties reflecting continued disagreements over the terms of Mr. Alonso's receivership. Dkt. Nos. 112, 113, 114. On August 6, 2021, Mr. Alonso filed a letter to the Court, which stated that after further investigation, he "concluded that multiple uncertainties make it inadvisable for [him] to accept the appointment." Dkt. No. 145. The Court thanks Mr. Alonso for his diligence and excuses him from the remainder of these proceedings.

Per the Court's prior orders, a receiver must be appointed. The parties shall file a joint letter to the Court by August 16, 2021, at 3:00 p.m. That letter shall include the name of an

individual that would accept the appointment as receiver under the terms originally proposed in the Court's July 23, 2021 order. Dkt. No. 98. If the parties cannot agree to a single name of a receiver, then by August 16, 2021, at 3:00 p.m., each party shall submit one name of a receiver that would accept the terms of the proposed order.

SO ORDERED.

Dated: August 9, 2021
New York, New York

A handwritten signature in black ink, appearing to read "Alison J. Nathan", written over a horizontal line.

ALISON J. NATHAN
United States District Judge